

RECEIVED  
CENTRAL FAX CENTER  
FEB 27 2008

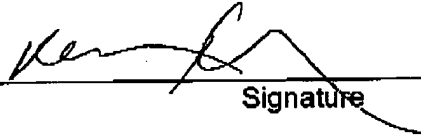
PTO/SB/97 (01-08)  
Approved for use through 02/29/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

### Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on February 27, 2008  
Date



Signature

Roseanna Kaplan

Typed or printed name of person signing Certificate

202-419-7000

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Restriction Requirement in Serial No. 10/511,169  
(Docket No. 7398/84162)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER  
FEB 27 2008

PATENT  
7398/84162

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	HAMADA et al.	Confirmation:	6443
Serial No.:	10/511,169	Art Unit:	1795
Filed:	October 14, 2004	Examiner:	J. Crepeau
For:	Carbon fiber paper and porous carbon electrode substrate for fuel cell therefrom		

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22314

February 27, 2008

Sir:

In response to the Office Action mailed February 7, 2008, Applicants hereby elect with traverse Group I, claims 1-7, drawn to a carbon fiber paper, for initial prosecution on the merits.

Applicants traverse the restriction requirement on the grounds no serious burden is imposed on the Examiner to examine all claims in a single application. According to MPEP 803, "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." MPEP 803(B) further states, "(B) There must be a serious burden on the examiner if restriction is required."

It is respectfully submitted there would be no serious burden on the Examiner to search and examine all pending claims in a single (the present) application. Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

SERIAL NO. 10/511,169  
DOCKET NO. 7398/84162  
PAGE 2

To the extent necessary during prosecution, Applicants hereby request any required extension of time not otherwise requested and hereby authorize the Commissioner to charge any required fees not otherwise authorized, including application processing, extension, and extra claims fees, to Deposit Account 06-1135.

Respectfully submitted,  
FITCH, EVEN, TABIN & FLANNERY

BY:



Kendrew H. Colton, #30,368

Customer No. 42798  
One Lafayette Centre, Suite 750S  
1120 - 20<sup>th</sup> Street, NW  
Washington, DC 20036  
(202) 419-7000 (telephone)  
(202) 419-7007 (telecopier)  
KHCrk